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2 **UNITED STATES DISTRICT COURT**  
3 **DISTRICT OF NEVADA**  
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5 UNITED STATES OF AMERICA,

6 Plaintiff,

7 v.

8 STEPHEN LEE SELDON, *et al.*,

9 Defendant.  
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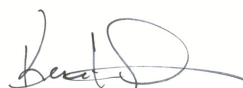
Case No. 2:07-CR-00135-KJD-LRL

**ORDER**

11 The sole question presently before the Court is whether to grant or deny a certificate of  
12 appealability (#438). Such a certificate may issue “only if the applicant has made a substantial  
13 showing of the denial of a constitutional right.” 28 U.S.C. § 2253(c)(2). This showing requires that  
14 Defendant “demonstrate that the issues are debatable among jurists of reason; that a court could  
15 resolve the issues in a different manner; *or* that the questions are adequate to deserve encouragement  
16 to proceed further.” Lambright v. Stewart, 220 F.3d 1022, 1025 (9th Cir. 2000) (internal alterations  
17 omitted).

18 For all of the reasons articulated by the Court in its prior Order denying relief under 28  
19 U.S.C. § 2255 (#432), the Court will not grant a certificate of appealability. In the Court’s considered  
20 opinion, the issues here are not debatable, the Court could not resolve the issues in a different  
21 manner, and the questions certainly do not deserve encouragement to proceed further.

22 DATED this 25th day of March 2014.  
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26 Kent J. Dawson  
United States District Judge